IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 18521 of 2004

Between:

1 M.D.A.A.Khan, E-455240, S/o.Moinuddin Khan,aged 42 years
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.
2 B.K.Rao, E-455254, S/o.Somu Naidu, 38 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.
3 B.N.Rao, E- 457342, S/o.Appanna, 48 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.
4 S.A.N.Raju, E-455227, S/o.Gunnaiah Raju, 48 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.
5 V.C.H.Rao, E-452312, S/o.Khannaiah, aged 42 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.
6 I.V.V.Goapl, E-456342, S/o.Appayya, aged 49 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.
7 R.N.Raju, E-484025, S/o.Simhachalam, aged 44 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.
8 N.P.Konda, E-451393, S/o.Venkata Swamy, aged 40 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.
9 P.A.Naidu, E-458077, S/o.Veerappa, aged 40 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.
10 N.V.B.Raju, E-457316, S/o.Satyanarayana, aged 44 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.
11 K.Parameswarudu, E-451350, S/o.Vishnu Murthy,aged 39 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.

12 G.K.Rao, E-451013 S/o.Suryanarayana, aged 42 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.
13 M.S.Babu, E-456781, S/o.Ammatally,aged 41 years,

working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.

14 K.S.Rao, E-452288, S/o.Somu Naidu,aged 39 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.

15 V.N.Simhulu, E-453126, S/o.Mallaiah, aged 44 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.

16 K.V.D.Rao, E-456419, S/o.Appala Suri, aged 40 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.

17 T.V.Sarma, E-451572, S/o.Chiranjeevi Rao, aged 42 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.

18 S.A.Rao, E-455394, S/o.Ganganna, aged 39 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.

19 B.A.Naidu, E-455217, S/o.Ramu Naidu, aged 45 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.

20 G.S.Rao, E-455225, S/o.Appa Rao, aged 43 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.

21 M.S.Babu, E-455815, S/o.Durga Naidu, aged 40 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.

22 M.Chellaiah, E-453385, aged 45 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.

23 M.Demudu, E-456039, S/o.ammatally, aged 42 years,
working in simhachalam Depot, R/o.Simhachalam,
Visakhapatnam Dist.

..... PETITIONERS

AND

1 The APSRTC., Rep.by its Managing Director, Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC, Visakhapatnam Region,

Visakhapatnam Dist.
3 The Depot Manager, APSRTC, Simhachalam Depot,

Visakhapatnam Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents herein in not granting the selection grade scale Stagnation increments to the petitioners on completion of 12 years service is illegal, unjust and arbitrary, contrary to well established principles of law and as such set aside the same by directing the respondents herein to add the Stagnation increment to the petitioners on completion of 12 years of service irrespective of their transfer from the date of initial

appointment and to pay the arrears by
re-fixing the pay of all the petitioners forthwith.

Counsel for the Petitioners: MR.S.M.SUBHAN

Counsel for the Respondents: KUM.B.G.UMA DEVI

The Court made the following:

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ORDER:

The petitioners are working as Drivers and Conductors in the respondent Corporation. They contend that after completion of 12 years of successful service in the respective categories, they are entitled for Selection Grade Stagnation increment, which has already remained due on different dates.

2. The grievance of the petitioners is that the respondents did not take any steps to release the Special Grade Stagnation increment to the petitioners; therefore, they approached this Court seeking direction to the respondents to pass appropriate orders regarding the Selection Grade Stagnation increment to them. Respondents did not deny the eligibility of the employees who have completed 12 years of continuous service for the Selection Grade Stagnation increment.

3. In the light of the circumstances, the respondents are directed to pass appropriate orders regarding the release of the Selection Grade Scale Stagnation increment to the petitioners, keeping in view the Judgment of a Division Bench of this Court in Writ Appeal No.1301 of 2000 dated 29.10.2002, within a period of two months from the date of receipt of a copy of this order and communicate the same to the petitioners.

4. The Writ Petition is, accordingly, disposed of. No order as to costs.

dsr

ASSISTANT REGISTRAR

To:

1. The Managing Director, APSRTC,

Musheerabad, Hyderabad

2. The Regional Manager, APSRTC,

Visakhapatnam Region, Visakhapatnam District

3. The Depot Manager, APSRTC,

Simhachalam Depot, Visakhapatnam District

4. Two CD copies.